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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/533,932	05/04/2005	Takahiro Nishibayashi	033082M252	8030
441 7590 08/13/2008 SMITH, GAMBRELL & RUSSELL 1130 CONNECTICUT AVENUE, N.W., SUITE 1130 WASHINGTON, DC 20036				
EXAMINER				
FORD, NATHAN K				
ART UNIT		PAPER NUMBER		
1792				
MAIL DATE		DELIVERY MODE		
08/13/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action

Acknowledged is the amendment after final received July 2, 2008. The examiner accepts the cancellation of claims 3-5, 13-16, 26, and 28-29 and the incorporation of claim 26 within claim 1.

The applicant traverses the rejection drawn to claims 1, 7-12, and 26.

The examiner has considered the applicant's arguments, but they are not persuasive and the rejection is maintained.

Concerning the applicant's argument that Masao's apparatus cannot sufficiently control the temperature and humidity of the air prior to its entrance to the coating unit: Masao passes air through both heating units (HP) and cooling units (CP) before it is provided to the coating unit. The applicant's claim only requires that the air is capable of being "controlled." It is the examiner's position that the thermal properties of the air can be controlled by modulating the respective temperatures of the heating and cooling units and also by manipulating the residence time of the air within each unit. Further, a recitation concerning the manner in which a claimed apparatus is to be employed does not differentiate the apparatus from prior art satisfying the claimed structural limitations (*Ex parte Masham*, 2 USPQ2d 1647).

The examiner will also address the applicant's argument the Masao's apparatus is incapable of flowing air upward into the air passageway. Firstly, regarding the incorporation of claim 26 within claim 1, it should be noted that top portions of the exhaust port (31) are disposed above the casings of heating units HP2 and HP4 in Figure 2 of Masao. Now, claim 1 merely recites "upward flow" without designating said flow as continuous, periodic, or temporary. It is the examiner's position that Masao's apparatus is capable of reversing, if just for an instant, the flow pattern of the fans such that a portion of air passes from the coating unit (SC1) to the air passageway (ACU). After this movement has occurred, the conventional downward blowing pattern would resume, thereby providing the air to the exhaust device. A one-time, momentary reversal of the air pattern would not affect the overall and long-term process of semiconductor fabrication. Further, a recitation concerning the manner in which a claimed apparatus is to be employed does not differentiate the apparatus from prior art satisfying the claimed structural limitations.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan K. Ford whose telephone number is 571-270-1880. The examiner can normally be reached on M-F, 8:30-5:00 EDT. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Cleveland,

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can be reached at 571-272-1418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

/N. K. F./

Examiner, Art Unit 1792

/Michael Cleveland/

Supervisory Patent Examiner, Art Unit 1792